
OLR Bill Analysis

HB 6475

AN ACT CONCERNING THE ACQUISITION OF REAL PROPERTY TO BE USED FOR SCHOOL CONSTRUCTION.

SUMMARY:

With certain exceptions, the law authorizes local and regional school districts to take land by eminent domain that is necessary for public school development, after fairly compensating the owner. This bill changes the basis for determining the property owner's compensation.

Under current law, the school district must compensate the property owner an amount equal to the average of two independent appraisals. The bill instead requires that the compensation equal the greater of the (1) average of these two appraisals or (2) property's assessed value, according to the most recent grand list.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Eminent Domain Exceptions

The law prohibits school districts from taking land by eminent domain when the land (1) has a church on it, unless the ecclesiastical society consents, or (2) is used as a cemetery or for burial purposes.

Independent Appraisals

When school districts take land by eminent domain, they must have the land appraised by two state-certified appraisers. The appraisers must work independently of each other and use generally accepted standards as described in the Uniform Standards of Professional Appraisal Practice, which is issued by the Appraisal Standards Board of the Appraisal Foundation pursuant to federal and state law. Each appraiser must provide a copy of the appraisal to the property owner and the school district.

COMMITTEE ACTION

Housing Committee

Joint Favorable

Yea 11 Nay 1 (03/12/2013)